

### I. Legal framework

Regulations under United States tax law relating to the withholding tax and the Agreement between Switzerland and the United States of America for Cooperation to Facilitate the Implementation of FATCA require BCV to determine whether the holder of an account is a US Person for tax purposes. In addition, under Swiss legislation implementing the OECD Common Reporting Standard (CRS), which includes the Swiss Federal Act on the International Automatic Exchange of Information (Swiss AEOI Act) and the implementing ordinance of that Act, BCV must collect certain information on account holders' tax residencies. If your tax residency is outside Switzerland, BCV may be legally required to pass on the information given in this form to the Swiss Federal Tax Administration.

### II. Information for questions 1 to 3 of the Tax residency self-certification form

#### Question 1:

A person is resident for tax purposes in a country if, under the laws of that country (including tax conventions), he or she pays or should be paying tax therein by reason of his or her domicile, residence, or any other criterion of a similar nature, and not only from sources in that country. Generally, the tax domicile is the place where a person lives with the intention of staying permanently. If the tax domicile can still not be determined, it is the place where the person's center of vital interests is. For more information on the criteria used to determine tax residency in different jurisdictions, see

<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-residency/>

If you are unsure, please contact a qualified tax advisor.

#### Question 2:

You are a US citizen if you hold US citizenship or if you hold multiple citizenships and one of them is US.

If you were born in the USA or in a US Territory (the Commonwealth of the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico, the US Virgin Islands, and American Samoa), you are a US citizen unless you provide documentation proving you have renounced your US citizenship.

#### Question 3a:

You are a US resident alien if you hold a Green Card (regardless of its expiration date) or have spent a significant amount of time in the United States (i.e., you meet the Substantial Presence Test used by the IRS).

If you reside in the United States but do not have any tax obligations under US tax law because you hold a valid student or diplomatic visa or you are an employee of an international organization, please provide us with a copy of your visa or proof of your status as an employee of an international organization.

#### Question 3b:

You are a US resident under US tax law for another reason if, for example, you file a joint return with a US spouse.

Please note that the fact of owning property in the US, holding shares in a US company (such as in a US partnership), or holding the debt of a US company does not necessarily make you a US resident for tax purposes.

### III. Glossary

#### Change in circumstances (under FATCA and AEOI)

A change in circumstances is any change that necessitates updating the information held by BCV about an individual's AEOI/CRS status relative to his or her country of tax residency (e.g., moving to another country).

#### US Green Card (under FATCA only)

A US Green Card means a US alien registration card as a lawful permanent resident issued by the US Citizenship and Immigration Service (USCIS). An individual who, at any time during the calendar year, has been admitted to the US as a lawful permanent resident is a resident alien for that year. An individual ceases to be a lawful permanent resident if the status was revoked or determined to have been abandoned.

#### Partner state (under AEOI only)

Partner states are states that have an agreement in place with Switzerland under which they will automatically exchange bank account information about individuals and entities subject to tax declaration requirements. The list of partner states can be found at:

<https://www.sif.admin.ch/sif/en/home/themen/international-e-steuerpolitik/automatischer-informationsaustausch.html>

#### Participating jurisdiction (under AEOI only)

Participating jurisdictions are those that have adopted the OECD's Common Reporting Standard (CRS) and signed the OECD's Multilateral Competent Authority Agreement on the Automatic Exchange of Financial Account Information (MCAA). A list of participating jurisdictions can be found at:

<https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/crs-by-jurisdiction/>

#### Tax identification number (TIN) (under FATCA and AEOI)

A tax identification number (TIN), or a functional equivalent in the absence of a TIN, is a unique combination of letters or numbers assigned by a jurisdiction to an individual or an entity to identify the individual or entity for the purposes of administering the tax laws of such jurisdiction. Further details of acceptable TINs can be found on the OECD AEOI Portal:

<https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/>

A TIN is issued to all US tax residents.

#### Reportable person (under AEOI only)

A reportable person is a person that is resident for tax purposes in a reportable jurisdiction under the tax laws of that jurisdiction. Some exceptions apply as stipulated in the OECD's Common Reporting Standards.

#### Substantial presence test (under FATCA only)

To meet the substantial presence test, you must have been physically present in the US on at least:

- 31 days during the current year; and
- 183 days during the 3-year period that includes the current year and the 2 years immediately before.

To satisfy the 183-day requirement, count:

- all of the days you were present in the current year; and
- one-third of the days you were present in the first year before the current year; and
- one-sixth of the days you were present in the second year before the current year.

Days in which you were temporarily in the US under a student visa (such as a "J" visa) are not included.

If you meet the substantial presence test in one year but not in the following year or a subsequent year, you must provide BCV with a Form W-8BEN and a proof of residence from the competent authorities in your domicile, so that we can change your US Person status in our files.

**Account holder (under FATCA and AEOI)**

An account holder is the person listed or identified as the holder of a financial account by the financial institution that maintains the account.